

Remarks

In response to the restriction requirement mailed June 7, 2001, Applicants elect with traverse the claims of Group I (claims 1-3 and 9). Applicants note that claim 10 was incorrectly included in Group I, and instead should be in Group II since it recites a vaccine comprising the antigenic protein of claim 4.

The claims of Group IV (12-13) should be examined with the Group I claims. The examination of these claims with the Group I claims is proper and appropriate and does not place a serious burden on the Examiner. If the Examiner can search and examine an application without serious burden, then the Examiner "must examine it on the merits, even though it includes claims to distinct or independent inventions." M.P.E.P. 803.

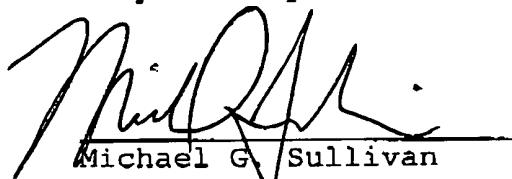
Claim 12 is dependent on claim 1 and relates to the same subject matter, antiserum raised against a flagellaless *Campylobacter* strain. Similarly, claim 13 depends on claim 9 and both relate to antibodies against the antigenic protein of claim 4. Thus, the examination of claims 12-13 together with the Group I claims would cover closely related and overlapping art, and would not place a serious burden on the Examiner. Accordingly, it is

respectfully requested that claims 12-13 be included in this application for examination.

In response to the species election requirement, Applicants elect the 97 kD protein. Thus, claim 9 as written relates to the elected protein species, which is claimed in claim 4. Claim 13 as written also is readable on the elected species.

If any fees are due in this application, please charge our Deposit Account No. 02-2334.

Respectfully submitted,



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